

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

IN RE:

Imeri Enterprises Inc.

Debtor

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Case No. 24-32106

**DEBTOR'S RETROACTIVE APPLICATION TO EMPLOY AMIN REALTY, INC.-
RORIK SETH AS REAL ESTATE BROKER**

THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN TWENTY-ONE (21) DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.

TO THE HONORABLE UNITED STATES BANKRUPTCY JUDGE:

Imeri Enterprises, Inc. ("Debtor") hereby makes this Application to Employ Amin Realty, Inc-Rorik Seth ("Broker" or "Amin Realty") as its Real Estate Broker ("Application") on its behalf and respectfully represents as follows:

1. Debtor filed a voluntary chapter 11 petition for relief on May 6, 2024 and elected to proceed under Sub Chapter V. The Debtor's case is pending before the United States Bankruptcy Court for the Southern District of Texas, Houston Division.

2. Debtor desires to employ Amin Realty to act as the real estate broker/realtor for the Debtor relating to the property located at 28332 Southwest Highway 59, Rosenberg, TX 77471, with Legal Description: FA Kennelly S/D, Block 3, Acres 2.32, Restricted Reserve “A”, “B”, and Reserve “C” (Detention Pond), La Quinta Rosenberg Division (“Property”).
3. The Property will be sold via Ten-X Auction. There will be two separate auction events, one for the adjacent land known as Reserve B and the other for La Quinta Hotel and detention pond.
4. The business address for Amin Realty is: 3 Sugar Creek Center Blvd. Suite 100, Sugar Land TX, 77478, Phone: (281) 968-5019 and Email: rseth@aminrealtyinc.com.
5. The professional services to be rendered on behalf of the Debtor by Amin Realty in this case include the listing and expected sale of the Property. The listing by Amin Realty is an exclusive listing agreement. Debtor has selected Amin Realty because of its experience as real estate broker.
6. To the best of Debtor’s knowledge, neither Amin Realty nor any other person associated with Amin Realty has any other connection with the Debtor, Debtor’s creditors, or any other parties in interest, or the attorneys and accountants for such creditors, or other parties in interest, the United States Trustee, or any person employed in the office of the United States Trustee.
7. To the best of the Debtor’s knowledge, neither Amin Realty nor any other person associated with Amin Realty holds or represents any interest adverse to Debtor’s estate in the matter on which Amin Realty is to be engaged by Debtor and Amin Realty, is a “disinterested person” within the meaning of Section 101(14) of the Bankruptcy Code. Exhibit A attached hereto is the Unsworn Declaration under §327 and Rule 2014 of Rorik Seth.

8. For real estate services rendered in the above-captioned case, the Debtor has agreed to compensate Amin Realty pursuant to the commercial real estate listing agreement (“Listing Agreement”) attached as Exhibit B.
9. The listing agreement provides that the Debtor will pay a 2.250% brokers fee to Amin Realty of the sales price upon the sale of the Property under the terms of the Listing Agreement.
10. The listing agreement provides for the active listing and marketing of the Property from May 10, 2024 through September 10, 2024.
11. The source of the payments to Amin Realty are projected to be from the sale of the Property.
12. Such employment is necessary and in the best interest of Debtor and the estate.
13. The Debtor believes that the terms of the listing agreement are fair, reasonable and standard for the area.
14. The Office of the United States Trustee has been provided with a copy of this Application.
15. No previous application for the relief requested herein has been made to this or any other Court.

WHEREFORE, Debtor prays for the entry of an order that authorizes the Debtor (i) to employ Amin Realty as its real estate broker/realtor for the sale of the Property; and (ii) subject to further Court approval as to amounts, authorizes the Debtor to compensate Amin Realty in the amount of 2.250% as a real estate commission for the sale of the Property; and grant the Debtor such other and further relief as is just and equitable.

DATED: June 19, 2024

Respectfully submitted,

/s/Nikie Marie López-Pagán

Reese W. Baker

TX Bar No. 01587700

Nikie Marie López-Pagán

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PROPOSED ATTORNEYS FOR DEBTOR

CERTIFICATE OF SERVICE

I certify that on or about June 19, 2024, I caused a copy of the foregoing document to be served by the Electronic Case Filing System for the United States Bankruptcy Court for the Southern District of Texas.

/s/Nikie Marie López-Pagán

Nikie Marie López-Pagán